

REMARKS

INTRODUCTION

In accordance with the following, reconsideration of the allowability of the claims is respectfully requested.

Claims 1, 3, 5-7, 9, 10, 12, 14, 16, 18, 20 and 22-25 are pending and under consideration.

REJECTIONS UNDER 35 USC 103

Claims 1, 3, 5-7, 9-10, 12, 14, 16, 18, 20 and 22-25 stand rejected under 35 USC § 103(a) as being obvious over Hayama et al., U.S. Patent No. 6,421,032, in view of Funyu, U.S. Patent No. 6,320,587. This rejection is respectfully traversed.

As noted in the Office Action, Hayama et al. at least fails to disclose a receiving section to receive a request for character information which relates to an external character from an *arbitrary* one of the input terminal equipments, and fails to disclose a setting section setting created character information with respect to the allocated code, "so that the created character information is accessible from each of the input terminal equipments."

To disclose these features, the Office Action relies on Funyu. On page 4, the Office Action sets forth that it would have been obvious to utilize the features of Funyu:

a) since Hayama et al. indicates that the stamp-making apparatus of Hayama et al. could incorporate a PC or workstation; and

b) because the use of multiple terminal equipment incorporated into Hayama et al. "would have provided a means for sharing resources and distributing/creating the external character codes through a network....Such modification would have been required for sharing resources among multiple platforms because Hayama suggests incorporating a PC or workstation in his apparatus thereby suggesting the obvious modification."

On page 5, the Office Action specifically recites that the modification of Hayama et al. would have been obvious because "it facilitate[s] sharing of resources among multiple users."

The Office Action's proffered motivation would only appear to come from the Examiner's conclusion that, since Hayama et al. could be incorporated into a PC or workstation, then the sharing of resources among multiple users is an inherent derivative therefrom.

However, this is improper, as the proffered motivation is derived solely from the

Examiner's own beliefs and is not supported in the record. The Office Action is required to provide sufficient basis for the proffered motivation, such as citing particular references or by laying out in detail how the proffered motivation was derived, both of which the Office Action has failed to set forth herein.

Therefore, it is respectfully submitted that the proffered obviousness rationale is improper. See In re Lee, 61 USPQ2d 1430 (CA FC 2002)(vacating a decision by The Board of Patent Appeals and Interferences ("Board") of the USPTO, which upheld an examiner's rejection where the motivation for a specific combination was not supported by the record; the vacated holding of Board was based on the premise that "[t]he conclusion of obviousness may be made from common knowledge and common sense of a person of ordinary skill in the art without any specific hint or suggestion in a particular reference.")

In addition, as Hayama et al. is silent on sharing resources among multiple users, the following is also noted.

Funyu also fails to disclose a setting section setting created character information with respect to the allocated code, *so that the created character information is accessible from each of the input terminal equipments*. According to Funyu, the input terminal equipment do not access the created character information in the setting section. In Funyu, the created character information is distributed from the setting section to the input terminal equipments together with character media data. In other words, unlike the present invention, Funyu cannot access the created character information from the input terminal equipments at desired timings.

Lastly, it is also noted that Funyu is a Fujitsu Limited reference, that was pending when the present application was filed. Therefore, Funyu is not a proper reference, as detailed in 35 USC § 103(c).

For at least the above, it is respectfully requested that this rejection of claims 1, 3, 5-7, 9, 10, 12, 14, 16, 18, 20 and 22-25 be withdrawn and claims 1, 3, 5-7, 9, 10, 12, 14, 16, 18, 20 and 22-25 be allowed.

## CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

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If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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